

Notice of Rulemaking Hearing

Tennessee Department of Agriculture Division of Regulatory Services

There will be a hearing before the Tennessee Department of Agriculture to consider the promulgation of amendments of rules pursuant to T.C.A. § 43-6-104 and § 43-6-106 (9). The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, T. C. A. § 4-5-204, and will take place in the Ed Jones Auditorium located at the Ellington Agricultural Center, 440 Hogan Road, Nashville, TN 37220, at 1:30 p.m. (CST) on Monday, November 19, 2007.

Any individuals with disabilities who wish to participate in these proceedings (to review these filings) should contact the Tennessee Department of Agriculture to discuss any auxiliary aids or services needed to facilitate such participation. Such initial contact may be made no less than ten (10) days prior to the scheduled meeting date (the date the party intends to review such filings), to allow time for the Department to determine how it may reasonably provide such aid or service. Initial contact may be made with Liz Sneed, the Department's ADA Coordinator, at Tennessee Department of Agriculture, P.O. Box 40627, Nashville, TN 37204 and (615) 837-5116.

For a copy of the entire text of this notice of rulemaking hearing, contact Theresa Denton, General Counsel, Tennessee Department of Agriculture, P.O. Box 40627, Nashville, TN 37204 at (615) 837-5280.

Amendments

Rule 0080-06-24-.02, Pest Plant List, is amended by deleting the current language in its entirety and submitting the following language so that, as amended, the paragraph and subparagraphs shall read:

0080-06-24-.02 Pest Plant List

- (1) The following plants and their cultivars are to be designated pest plants unless so noted as an exception followed by the effective date of such designation:
 - (a) *Lythrum salicaria*, *Lythrum virgatum*, Purple Loosestrife
Retail January 1999; Wholesale January 1999
 - (b) *Solanum viarum*, Tropical Soda Apple
Retail January 1999; Wholesale January 1999
 - (c) *Ligustrum sinense*, Chinese privet
Retail January 2009; Wholesale January 2011
 - (d) *Ligustrum vulgare*, Common privet, European Privet – exception: Variegated privet
Retail January 2009; Wholesale January 2011
 - (e) *Imperata cylindrica*, Cogongrass
Retail January 2009; Wholesale January 2011
 - (f) *Lonicera maackii*, Shrub honeysuckle, Amur honeysuckle
Retail January 2009; Wholesale January 2011
 - (g) *Lonicera morrowii*, Morrow's bush honeysuckle, Morrow's honeysuckle
Retail January 2009; Wholesale January 2011
 - (h) *Lonicera x bella*, Bell's honeysuckle
Retail January 2009; Wholesale January 2011

- (i) Albizia julibrissin, Mimosa
Retail January 2009; Wholesale January 2011
- (j) Rosa multiflora, Multiflora rose
Retail January 2009; Wholesale January 2011
- (k) Elaeagnus umbellata, Autumn olive
Retail January 2009; Wholesale January 2011
- (l) Elaeagnus pungens, Thorny olive
Retail January 2009; Wholesale January 2011
- (m) Salvinia molesta, Giant Salvinia
Retail January 2009; Wholesale January 2011
- (n) Commelina benghalensis, Tropical Spiderwort
Retail January 2009; Wholesale January 2011

Authority: T.C.A., Section 43-6-104 and 43-6-106 (9). Administrative History: Original rule filed September 23, 1998; effective January 28, 1999.

Oral or written comments will be invited at the hearing. In addition, written comments will be considered if received by the close of business on November 19, 2007 at the office of Anni Self, Regulatory Services Division, Ellington Agricultural Center, P.O. Box 40627, Nashville, TN 37204.

The notice of rulemaking set out herein was properly filed in the Department of State on the 28th day of September, 2007. (FS 09-52-07; DBID 742)